

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the independent claims to more particularly point out that Applicant's claimed plurality of selectable coupon modes determine a time at which coupon information is initially displayed. Applicant has amended various dependent claims to clarify the claimed subject matter. No new matter has been added as a result of these amendments.

Rejections

Rejections under 35 U.S.C. § 102(b)

Claims 1-3, 9, 10, 15, 17, 19, 24, 25, 28-31, 33, 37, 43-45, 48-52, 55, 62, 63, 65-67, 69, 74, 77, 81, 86 and 89

Claims 1-3, 9, 10, 15, 17, 19, 24, 25, 28-31, 33, 37, 43-45, 48-52, 55, 62, 63, 65-67, 69, 74, 77, 81, 86 and 89 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,287,181 to Holman. Applicant respectfully disagrees with the rejection because reference does not disclose each and every element of the invention as claimed in claims 1-3, 9, 10, 15, 17, 19, 24, 25, 28-31, 33, 37, 43-45, 48-52, 55, 62, 63, 65-67, 69, 74, 77, 81, 86 and 89.

Holman discloses an electronic coupon system having a coupon display mode that shows a logo when coupon information is present in a television signal. The viewer may display the coupon when the logo is shown. While the coupon is being displayed, the viewer may chose to save the coupon for later display. Because the coupon information is embedded in the television signal, the coupon information is only available for initial display while the signal is being received.

Applicant's independent claims xxx recite a plurality of selectable coupon modes that determine a time at which coupon information is initially displayed. Holman only initially displays a coupon at one time, i.e., when the signal in which the coupon information is embedded is being received. Therefore, Holman does not teach or suggest a plurality of coupon modes that determine when to initially display a coupon.

Furthermore, Holman does not teach or suggest that such a plurality of coupon modes is selectable. Because Holman does not anticipate Applicant's independent claims, and the claims that depend from them, Applicant respectfully requests the withdrawal of the rejection of claims 1-3, 9, 10, 15, 17, 19, 24, 25, 28-31, 33, 37, 43-45, 48-52, 55, 62, 63, 65-67, 69, 74, 77, 81, 86 and 89 under 35 U.S.C. § 102(b) over Holman.

Rejections under 35 U.S.C. § 103

Claims 4-8, 10-14, 16, 18, 22, 23, 26, 27, 32, 34-36, 38, 39, 40-42, 46, 47, 53, 54, 56-61, 64, 68, 71-73, 75, 76, 80, 83-85 and 92

Claims 4, 6, 7, 18, 22, 23, 32, 34-36, 53, 54, 64, 68, 72, 73, 75, 76, 80, 84, 85 and 92 stand rejected under 35 U.S.C. § 103(a) over Holman in view of Official Notice of the obviousness of various elements of the dependent claims. Claims 10-14, 26, 38, 39, 41, 42, 46 and 56-60 stand rejected under 35 U.S.C. § 103(a) over Holman in view of U.S. Patent 5,559,540 to Hendricks. Claims 27, 47 and 61 stand rejected under 35 U.S.C. § 103(a) over Holman in view of U.S. Patent 6,002,394 to Bruck. Claims 5, 16, 71 and 83 stand rejected under 35 U.S.C. § 103(a) over Holman in view of U.S. Patent 6,324,694 to Watts. Both Bruck and Watts are prior art under 35 U.S.C. § 102(e) because they issued after Applicant's filing date and Applicant reserves the right to swear behind either reference at a later date.

Applicant notes that claims 8 and 40 have not been particularly rejected in the pending Office Action and assumes the Examiner intended to reject them under the same rationale as used to reject claims 36 and 12, which contain like elements. Claims 11 and 39 have been cancelled in this amendment.

Each of pending dependent claims 4-8, 10, 12-14, 16, 18, 22, 23, 26, 27, 32, 34-36, 38, 40-42, 46, 47, 53, 54, 56-61, 64, 68, 71-73, 75, 76, 80, 83-85 and 92 depend from one of independent claims 1, 30, 50, 69 or 81. Because Holman does not disclose each and every limitation of Applicant's invention as claimed in claims 1, 30, 50, 69 or 81, the other references used to reject the dependent claims under § 103(a) must teach or suggest the limitations missing in Holman to have a proper *prima facie* case of obviousness.

However, none of Hendricks, Bruck, Watts, nor the Official Notice asserted by the Examiner teach or suggest Applicant's claimed limitations of plurality of selectable coupon modes that determine a time at which coupon information is initially displayed.

Therefore, the combinations of Holman and Official Notice, Holman and Hendricks, Holman and Bruck, and Holman and Watts do not teach or suggest each and every limitation of Applicant's invention as claimed in the dependent claims. Accordingly Applicant respectfully requests the withdrawal of the rejection of claims 4-8, 10, 12-14, 16, 18, 22, 23, 26, 27, 32, 34-36, 38, 40-42, 46, 47, 53, 54, 56-61, 64, 68, 71-73, 75, 76, 80, 83-85 and 92 under 35 U.S.C. § 103(a) over the combinations.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 20, 21, 78, 79, 90 and 91 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended. Applicant believes that the claims are allowable as they currently stand and therefore has not amended them at this time. Applicant also note that claims 93-98 have been cancelled in this amendment to avoid an objection to claims 20, 21, 78, 79, 90 and 91 under 37 C.F.R. §1.75 as being substantial duplicates of claims 93-98 when claims 20, 21, 78, 79, 90 and 91 are allowed.

New Claims

New claims 99-113 have been added to claim the subject matter of the previously presented claims under 35 U.S.C. § 112, paragraph 6. Applicant respectfully submits claims 99-113 are allowable for at least the reasons set forth above for the previously presented claims.

SUMMARY

Claims 1-10, 12-38, 40-69, 71-81, 83-92 and 99-113 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-3476.

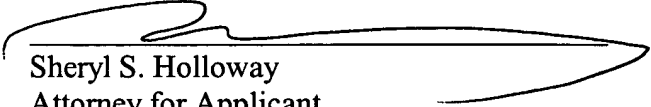
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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